

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company
to Market Value Humboldt Bay Power Plant
Fossil Units and for Authority to Retain in the
Distribution Utility Sections 367(b) and 377.

Application 00-05-034

**ADMINISTRATIVE LAW JUDGE'S RULING
REQUESTING COMMENTS ON PENDING APPLICATION**

On May 15, 2000, Pacific Gas and Electric Company (PG&E) filed an application to market value its Humboldt Bay Power Plant non-nuclear, fossil units through an independent appraisal process. The application also proposes that PG&E retain the fossil units in the regulated distribution utility until decommissioning of the nuclear unit at Humboldt is complete, and the fossil units can be separated.

The processing of this application was deferred because of the energy crisis. Since this situation is behind us, it is now time to address this matter. Accordingly, PG&E is asked to comment on whether this application should be withdrawn because the question of market valuation may be moot following recent developments.

Therefore, **IT IS RULED** that PG&E shall file comments no later than February 16, 2004, addressing why this application should not be withdrawn and this proceedings closed because of recent events and the passage of time.

Dated January 15, 2004, at San Francisco, California.

/s/ Bertram D. Patrick

Bertram D. Patrick
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Requesting Comments on Pending Application on all parties of record in this proceeding or their attorneys of record.

Dated January 15, 2004, at San Francisco, California.

/s/ Antonina V. Swansen
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, *e.g.*, sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.